IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7343 OF 2007

Shri Vishwas Shankar Jadhav & Ors...Petitioners

Versus

Shri Baburao S.Hajare & Ors. ..Respondents

Mr.Y.S.Jahagirdar Senior Advocate i/by Amit Borkar for the petitioners.

Ms.V.S.Mhaispurkar AGP for respondent no.2.

Coram : A.P.DESHPANDE,J

Date : 12.10.2007

PC

1. The process of election to elect managing committee of specified society has already commenced and is on the verge of conclusion. 11.10.2007 was the last date for withdrawal of the nomination form and the list of contesting candidates is to be published on 13.10.2007. Despite an objection from the petitioners, the nomination form of the respondent no.1 came to be accepted. It is this order of acceptance of the nomination paper which has been challenged by filing the instant Writ petition. I had issued notice before admission by an order dated 3.10.2007 with a view to dispose of the petition, if possible, before finalisation of the list of contesting candidates. The office report is that the respondents are not served, hence it is not fisible to dispose off the writ petition

today without disturbing or obstructing the process of election, which is impermissible in law in view of the judgment of the Apex Court in the case of Sant Sadguru. Leaving all questions open to be agitated in the election petition, which could be filed after declaration of the result of the election, Writ petition is summarily dismissed as I am not inclined to interfere with the impugned order at this stage.

(A.P.DESHPANDE,J)